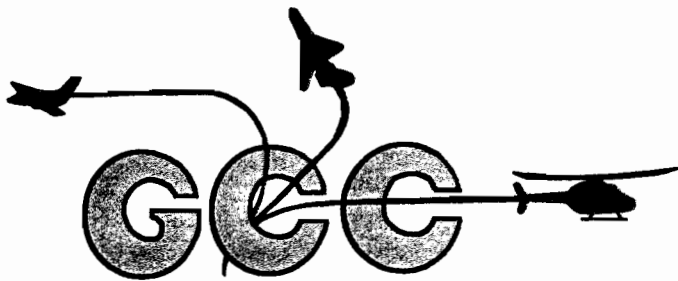


APPENDIX H

AIRPORT ISSUES



July 20, 2005

Gillette-Campbell County Airport

Jay Lundell, A.A.E., Executive Director
2000 Airport Road, Suite 108
Gillette, WY 82716
(307) 686-1042
Fax (307) 686-1471

Casper Field Office
Bureau of Land Management
ATTN: Nancy Doelger
2987 Prospector Drive
Casper, WY 82604

Re: Eagle Butte West LBA Tract

Dear Ms. Doelger:

While attending the May 17, 2005 public scoping meeting I provided several comments that are important to the Gillette-Campbell County (GCC) airport. On behalf of the GCC airport board, I wish to comment in writing the following concerns.

The GCC airport is concerned with the following issues: 1). Height of mining equipment operating within the airport's influence areas and runway approach path airspace, 2). Height of overburden placement within the airport's influence areas and runway approach path airspace, 3). Blasting effects to the airport, and to aircraft landing and departing the airport, 4). The re-location plan for State Highway 14/16, and its effects to convenient public airport access, and access to the airport's commercial water load-out facility, 5). Future expansion plans per the airport's master plan, and 6). Negative externalities.

Height of Mining Equipment

The closer mining operations are allowed to the airport environment the greater the chance that mining equipment will encroach the airport's protected airspace per Federal Aviation Regulation (FAR) Part 77. This regulation requires an airport's transitional area (Airspace) be protected by a 7:1 slope at least up to a limit that provides a 50-foot terrain and obstacle clearance. Mining equipment such as cranes, drilling masts, and haul trucks may penetrate this airspace. This is just one of several airspace issues that would need to be addressed. Aircraft need to be assured of this protected airspace while landing and departing. Because Campbell County has no height restriction zoning ordinances in place for the airport, the airport may be forced to close if found to not be in compliance with FAR Part 77.

Height of Overburden and Placement

Just as with the height of mining equipment, aircraft need to remain in protected airspace that is free of terrain and obstacles.

Blasting Effects

The closer mining operations are to the airport, the more hazardous this becomes to aircraft during the blasting operations. Presently, Eagle Butte mine contacts the GCC control tower and the tower advises aircraft in the area of the blasting. The control tower will then re-direct these aircraft to the west side of the runway.

If mining is allowed to occur between the two runways, blasting will eliminate most options to aircraft that are landing and departing and will most likely result in airport operational delays.

The effects of blasting near airport facilities are also a major concern. Current blasting to the east of the airport, we believe, has led to the deterioration of the structural integrity of our buildings, i.e. the airport terminal building. This building presently has cracks on the interior floors and exterior walls and may be a result of blasting.

State Highway 14/16 Relocation

Presently, there is no clear plan or proposal that identifies where state highway 14/16 will be relocated. This is a concern to the airport simply because of not knowing how public access will occur from the north to the airport's entrance.

The airport relies on its commercial water load out facility as its major source of revenue. How will access from the north to this facility be addressed? The airport's customers for this facility are the coal bed methane gas producers that have development to the northern portions of Campbell County and eastern portions of Sheridan County. Cutting-off this access from the north to the airport will dramatically reduce airport revenues.

Future Expansion

The airport's Master Plan calls for a future expansion of Runway Three-Four (34) to the north by 1,000 feet and moving existing navigational aids in the same direction and distance. Both will require future property acquisition to the north. Depending upon the location of the final coal lease boundaries as set forth by the Bureau of Land Management, the airport may never have the option of land acquisition and future expansion. Thus, the airport will be permanently land-locked in all directions.

Negative Externalities

Mining operations that are allowed to encroach the airport from the north will result in more dust drifting onto the airport because of the prevailing winds from the north and northwest. Thus, possibly creating visibility problems for aircraft landing and departing. Another negative externality may be the airport's water supply. Even though the airport's well is into the Fortification formation and is approximately 1,200 feet below the surface, what will the effects of mining have on the future water supply of the airport?

I thank you for the opportunity to comment on our concerns as an airport. If you have any questions about our concerns, please contact me at your earliest convenience.

Sincerely,



Jay Lundell, A.A.E.

Airport Executive Director

FOUNDATION COAL WEST, INC.

Belle Ayr & Eagle Butte Mines
P.O. Box 3039
Gillette, WY 82717-3039

February, 9, 2006

Jay Lundell
Airport Manager
2000 Airport Road, Ste. 108
Gillette Wyoming 82716

RE: Public Scoping Meeting Comment/Response for Eagle Butte West Extension LBA

Dear Jay:

Enclosed please find final comment/response documentation for comments generated as part of the Eagle Butte West Extension LBA public scoping process. I was pleased to hear that the Airport's concerns have been satisfactorily addressed. Thank you for taking the time to work through these important issues. As suggested, I will contact Vern Fundenberger for a follow-up building inspection as soon as the weather allows for better observation conditions.

Again, thank you for your cooperation in this matter. Foundation Coal West, Inc. considers the Airport an important neighbor.

Please feel free to contact me at anytime should you have questions or concerns.

Sincerely,



William L. Boger
Environmental Supervisor

Cc: File

1 – EAGLE BUTTE LBA RELATIONSHIP WITH AIRPORT

Runway 34 is located on the northern end of the airport. The LBA is positioned north of the airport. A portion of the LBA is located beneath the airspace for Runway 34.

The approach surface dimensions were taken from plans developed by Washington Infrastructure Services, Inc. for the Gillette-Campbell County Airport.

2 – OBJECT IDENTIFICATION SURFACE DEFINITIONS

A number of imaginary surfaces are defined for obstruction identification. The following surface definitions were extracted from IMAGINARY SURFACES FOR OBSTRUCTION EVALUATION (<http://www.ngs.noaa.gov/AERO/OIS/ois.html>).

The **Primary Surface** is defined as a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond either end of the runway.

The **Horizontal Surface** is defined as a horizontal plane 150 feet above the established Airport Elevation, the perimeter of which is constructed by swing arcs of specified radii from the center of each end of the Primary Surface of each runway. The established elevation of the Gillette-Campbell County Airport is 4,364.5 feet. The elevation of the Horizontal Surface is 4,515 feet.

The **Conical Surface** is defined as a surface which extends upward and outward from the outer limits of the Horizontal Surface for a horizontal distance of 4,000 feet. The slope of the conical surface is 20:1 measured in a vertical plane.

The **Transitional Surface** is defined as a surface extending outward and upward, at right angles to the runway centerline and runway centerline extended, from the sides of the Primary Surface and Approach Surfaces. The slope is 7:1 and the surface extends until it intersects the Horizontal or Conical Surface.

The **Approach Surface** is defined as a surface longitudinally centered on the extended centerline of the runway, beginning at the end of the Primary Surface. The width of this surface is 500 feet at the end of the Primary Surface and flares to a width of 3,500 feet at a distance of 10,000 feet from the end of the Primary Surface. The surface slope is 34:1.

3 – VOLUMETRICS (EXISTING RUNWAY)

For the existing approach surface, an imaginary surface was created including the 34:1 plane of the approach surface and the 7:1 transitional surface. This imaginary surface was clipped against pre-mine topography. Within the plan footprint of the LBA Boundary, there is no topography higher than the imaginary surface. This is also the case within the plan footprint of the BLM Study Area Boundary.

Assuming that an 81-foot high drill is the tallest piece of mining equipment, the imaginary surface was lowered 81 feet to account for the drill height. This lowered surface was clipped against pre-mine topography. Within the plan footprint of the LBA boundary, there is a cut of 1.33 million BCY required. Within the plan footprint of the BLM Study Area, there is a cut of 1.75 million BCY required.

Volumes are summarized in Table 1-1.

4 – VOLUMETRICS (FUTURE RUNWAY)

For the future approach surface, an imaginary surface was created including the 34:1 plane of the approach surface and the 7:1 transitional surface. This imaginary surface was clipped against pre-mine topography. Within the plan footprint of the LBA Boundary, there is no topography higher than the imaginary surface. This is also the case within the plan footprint of the BLM Study Area Boundary.

Assuming that an 81-foot high drill is the tallest piece of mining equipment, the imaginary surface was lowered 81 feet to account for the drill height. This lowered surface was clipped against pre-mine topography. Within the plan footprint of the LBA boundary, there is a cut of 3.66 million BCY required. Within the plan footprint of the BLM Study Area, there is a cut of 4.11 million BCY required.

Volumes are summarized in Table 1-1.

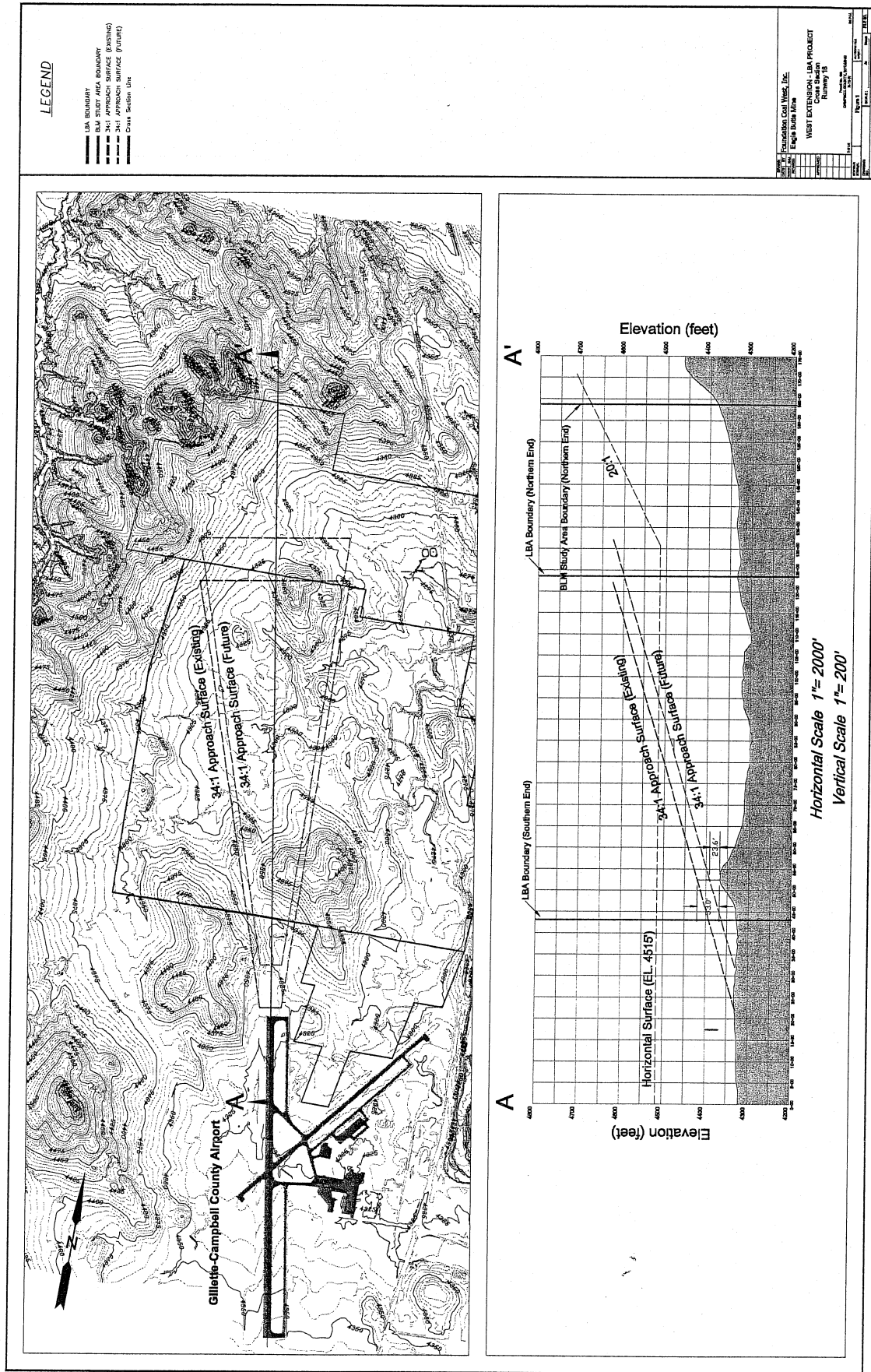


Table 1-1 Volumetrics for EB LBA - Airport					
Runway	Upper Surface	Lower Surface	Inclusion Boundary	Comment	Cut Volume BCY (millions)
34 (Future)	Pre-Mine topography (2004 aerial)	34:1 approach surface with transitional surface (unadjusted)	LBA boundary	Designed approach surface	0.00
34 (Future)	Pre-Mine topography (2004 aerial)	34:1 approach surface with transitional surface (adjusted down 81 feet)	LBA boundary	Approach surface adjusted for 81' drill height	3.66
34 (Future)	Pre-Mine topography (2004 aerial)	34:1 approach surface with transitional surface (unadjusted)	BLM Study Area	Designed approach surface	0.00
34 (Future)	Pre-Mine topography (2004 aerial)	34:1 approach surface with transitional surface (adjusted down 81 feet)	BLM Study Area	Approach surface adjusted for 81' drill height	4.11
34 (Existing)	Pre-Mine topography (2004 aerial)	34:1 approach surface with transitional surface (unadjusted)	LBA boundary	Designed approach surface	0.00
34 (Existing)	Pre-Mine topography (2004 aerial)	34:1 approach surface with transitional surface (adjusted down 81 feet)	LBA boundary	Approach surface adjusted for 81' drill height	1.33
34 (Existing)	Pre-Mine topography (2004 aerial)	34:1 approach surface with transitional surface (unadjusted)	BLM Study Area	Designed approach surface	0.00
34 (Existing)	Pre-Mine topography (2004 aerial)	34:1 approach surface with transitional surface (adjusted down 81 feet)	BLM Study Area	Approach surface adjusted for 81' drill height	1.75
Notes: Volumetrics based on 34:1 approach surface and 7:1 transitional surface. Surfaces approximated by MEI based upon plans completed by Washington Infrastructure Services, Inc. for the Gillette-Campbell County Airport.					

Eagle Butte Mine
Airport – Scoping Meeting Comment/Response Document
February 9, 2006

The following are responses to the Gillette-Campbell County Airport comments dated July 20, 2005. Airport management compiled the comments as part of the public scoping associated with Eagle Butte's West Extension Lease by Application (LBA). The public scoping meeting was conducted May 17, 2005. Responses to the Airport's comments follow and were developed following discussions between representatives of Eagle Butte and the Airport.

Height of Mining Equipment:

Comment: The closer mining operations are allowed to the airport environment the greater the chance that mining equipment will encroach the airport's protected airspace per Federal Aviation Regulation (FAR) Part 77. This regulation requires an airport's transitional area (Airspace) be protected by a 7:1 slope at least up to a limit that provides a 50-foot terrain and obstacle clearance. Mining equipment such as cranes, drilling masts, and haul trucks may penetrate this airspace. This is just one of several airspace issues that would need to be addressed. Aircraft need to be assured of this protected airspace while landing and departing. Because Campbell County has no height restriction zoning ordinances in place for the airport, the airport may be forced to closed if found to not be in compliance with FAR Part 77.

Response: An analysis (see attached documentation and schematic) shows that there is a small topographic rise (hill) at the southern end of the LBA boundary just north of Runway Three-Four (34). This is the only area within the Airport's approach surface where mining equipment could penetrate the Airport's 34:1 approach surface. The mines blasting drills operating at existing topographic elevations with masts extended would penetrate the approach surface by approximately 28 feet. Shovels and trucks would operate at bench elevations below the existing topography and therefore would be well below the approach surface.

Eagle Butte obtained a permit from the Federal Aviation Administration (FAA) while conducting mining operations within the approach surface of the Airport's cross-wind runway. This permit resulted in specific requirements for lighting of mine equipment and establishment of protocols and notification procedures when mining activities were conducted within designated areas. Unlike the cross-wind runway, Runway 34 is designed for instrument approach which implies that plane traffic utilizes the runway in fair and foul weather conditions day or night. During the time Eagle Butte would operate the drill in the area where it penetrates the approach surface the mine would conduct drilling operations only from sunrise to sunset and when visibility is unrestricted. Eagle Butte will pursue the necessary permits with the FAA prior to mining in this area. Preliminary mine plans suggest mining in the area of the glide slope in approximately 2019.

The duration of time that the drill would be required to operate in the area where the approach surface is penetrated is considered short-term. A duration estimate was derived by calculating the volume of overburden obtained by lowering the 34:1 approach surface 81 feet to account for the drill height. This lowered surface was clipped against the existing topography to determine volumes of overburden that would require drilling. Whether using the existing approach surface or a future expansion approach surface (see Table 1) the maximum volume of overburden to be moved is approximately 4 million bank cubic yards. This equates to approximately two weeks to one month of drill time necessary to prepare the area for blasting and subsequent mining. The Airport agrees that similar protocols that were established for the cross-wind runway would be acceptable in this case.

Height of Overburden and Placement:

Comment: Just as with the height of mining equipment, aircraft need to remain in protected airspace that is free of terrain and obstacles.

Response: Eagle Butte Mine, as part of the State mining and reclamation plan permitting process has flexibility when designing the post-mine topography. Therefore, within the confines of the existing approach surface the surface topography can be altered and designed to improve the relief surfaces. For example, the hill present at the north end of Runway 34 doesn't need to be reconstructed in this area in the post-mine environment. Eagle Butte will work with the Airport and design a post-mine topography that meets with their approval. This will ensure that the height of any overburden placement remains at an elevation where mining equipment will not impact the protected airspace.

Blasting Effects:

Comment: The closer mining operations are to the airport, the more hazardous this becomes to aircraft during the blasting operations. Presently, Eagle Butte mine contacts the GCC control tower and the tower advises aircraft in the area of the blasting. The control tower will then re-direct these aircraft to the west side of the runway.

If mining is allowed to occur between the runways, blasting will eliminate most options to aircraft that are landing and departing and will most likely result in airport operational delays.

Response: Eagle Butte agrees with the Airport that mining should not occur between the runways. During the tract delineation process Eagle Butte will provide this comment to the BLM. The Airport should also provide comment to the BLM during the comment period after the Draft EIS is made available to the public by the BLM.

Comment: The effects from blasting near the airport facilities are also a major concern. Current blasting to the east of the airport, we believe, has led to the deterioration of the structural integrity of our buildings, i.e. the airport terminal building. This building presently has cracks on the interior floors and exterior walls and may be a result of blasting.

Response: Blasting is conducted in accordance with Chapter 6 of the Wyoming Department of Environmental Quality Rules and Regulations. These regulations establish vibration standards that have been developed to protect both primary structures (dwellings, public buildings, schools, etc.) and secondary structures (pipelines, tunnels, bridges, etc.). Eagle Butte conducts its blasting program in compliance with these regulations and has not exceeded the vibration standards designed to protect such structures. A pre-blast survey of the Airport complex was conducted in 2001. Eagle Butte can review this survey with the Airport and conduct a follow-up survey if required. It should be noted that future mining operations within the proposed LBA will be conducted at distances far greater than those of current operations and this should further minimize blasting related concerns.

State Highway 14/16 Relocation:

Comment: Presently, there is no clear plan or proposal that identifies where state highway 14/16 will be relocated. This is a concern to the airport simply because of not knowing how public access will occur from the north to the airport's entrance.

The airport relies on its commercial water loadout facility as its major source of revenue. How will access from the north to this facility be addressed? The airport's customers for this facility are the coal bed methane gas producers that have development to the northern portions of Campbell County and eastern portions of Sheridan County. Cutting-off this access from the north to the airport will dramatically reduce airport revenues.

Response: Eagle Butte has reviewed the road alternatives with the Airport. These plans show that Eagle Butte will not cut-off access to the Airport's water loadout. Three alternatives have been submitted to the Wyoming Department of Transportation (WYDOT). WYDOT has initiated the public scoping process, which includes public scoping meetings. WYDOT has informed Eagle Butte that the public will have considerable input on which road alternative will ultimately be selected. The first public meeting is scheduled for February 7, 2006.

Future Expansion:

Comment: The airport's Master Plan calls for a future expansion of Runway Three-Four (34) to the north by 1,000 feet and moving existing navigational aids in the same direction and distance. Both will require future property acquisition to the north. Depending upon the location of the final coal lease boundaries as set forth by the Bureau

of Land Management, the airport may never have the option of land acquisition and future expansion. Thus, the airport will be permanently land-locked in all directions.

Response: The Airport's Capital Improvement Plan depicts a possible expansion of Runway 34 in the 2013 timeframe. Preliminary mine plans show mining in the future expansion area in approximately 2020. Discussions with Airport representatives suggest that the expansion has been on the Master Plan for an extended period of time. Even though this expansion is listed on the Master Plan there are currently no definitive plans at this time to expand the Airport's Runway 34. The Airport is further concerned that with current mining to the east, future mining to the north and the City of Gillette to the south the Airport will become land-locked. The land to the north of Runway 34 is owned by Foundation Wyoming Land Company (FWLC). Following mining and backfill placement FWLC would be agreeable to a land easement or acquisition proposal for use of the land by the Airport. If this occurs, coordination between Eagle Butte Mine and the Airport on the design for grading and surface elevation of the backfill during reclamation activities could be completed. This would address these possible future expansion plans.

Negative Externalities:

Comment: Mining operations that are allowed to encroach the airport from the north will result in more dust drifting onto the airport because of the prevailing winds from the north and northwest. Thus, possibly creating visibility problems for aircraft landing and departing. Another negative externality may be the airports water supply. Even though the airport's well is into the Fortification formation and is approximately 1,200 feet below surface, what will the effects of mining have on the future water supply of the airport?

Response: Eagle Butte is required by permit to control fugitive dust. Eagle Butte uses fugitive dust control processes that meet the Wyoming Department of Environmental Quality requirements for Best Available Control Technology. Eagle Butte's monitoring network has recorded no exceedences of the applicable National Ambient Air Quality Standards. In recent years Eagle Butte has purchased larger water trucks to increase the efficiency of dust control efforts. Aggressive management practices including timely reclamation, seeding and in some cases ripping soils to control erosion are utilized. Dust cannot be completely eliminated but it can be managed with aggressive control practices.

Eagle Butte's deep wells are located in the same water bearing formation (Fort Union) as the Airport. This aquifer is well below current mining operations and therefore drawdown impacts from mining are not expected.

Boger, William L.(BE) 3410

From: Jay Lundell [JDL75@ccg.co.campbell.wy.us]
Sent: Friday, February 03, 2006 3:13 PM
To: Boger, William L.(BE) 3410
Subject: Re:

Bill,

Sorry for the delay. I just finished reading your responses and from my perspective all of your responses have addressed the airport's concerns. I see that I identified a non-existing formation, and I stand corrected as you have noted the correct formation to be Ft. Union. Sorry for this mis-representation, I must have been hunting elk or something else in my mind when I mentioned Fortification.

Everything is very well written and again I'm very satisfied with your responses. As far as setting up a building inspection, please contact Vern Fundenberger at 686-0612 (Operations Facility) or 680-6588 (Cell phone) Thanks!

Jay

>>> "Boger, William L.(BE) 3410" <WBoger@foundationcoal.com> 1/30/2006
>>> 4:41 PM >>>
Jay;

Attached are two files. One the comment/responses to the scoping meeting comments and the other a document that Mine Engineers Inc. put together on Runway 34. Please review the responses and I hope that I have included the information we discussed during our meeting. Consider this a Draft and let me know if the information is satisfactory or as we discussed.

Thanks Bill